

February 27, 1931.
[H. R. 10017.]
[Public, No. 740.]

CHAP. 315.—An Act To provide for a survey of the Mouse River, North Dakota, with a view to the prevention and control of its floods.

Mouse River, N. Dak.
Survey of, author-
ized.

Vol. 39, p. 950.

Appropriation au-
thorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a survey to be made of the Mouse River, North Dakota, with a view to preparing plans and estimates of the cost of such work as may be necessary for the prevention and control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917, and the recommendations of the Chief of Engineers, United States Army, contained in House Document Numbered 282, Seventy-first Congress, second session, and the sum of \$15,000 is hereby authorized to be appropriated for this purpose.

Approved, February 27, 1931.

February 27, 1931.
[H. R. 12284.]
[Public, No. 741.]

CHAP. 316.—An Act To provide for the construction of vessels for the Coast Guard for rescue and assistance work on Lake Erie.

Coast Guard, Treas-
ury Department.
Cutter authorized for
Great Lakes service.
Ante, p. 173.

Proviso.
Cost limit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to construct and equip one Coast Guard cutter, to be of design and construction suitable for service in assisting shipping on the waters of Lake Erie and others of the Great Lakes: *Provided*, That the total cost of construction and of original equipment of said Coast Guard cutter shall not exceed the sum of \$650,000.

Approved, February 27, 1931.

February 27, 1931.
[H. R. 14922.]
[Public, No. 742.]

CHAP. 317.—An Act To amend the Acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia Traffic Acts, and so forth.

District of Columbia
Traffic Act, amend-
ments.
Vol. 43, p. 1119.
Vol. 44, p. 812.

Matter repealed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved March 3, 1925, known as the District of Columbia Traffic Act, 1925, and the Act of Congress approved July 3, 1926, entitled "An Act to amend the Act known as the District of Columbia Traffic Act," be, and the same are hereby, amended as follows:

1. That paragraph (f) of section 2 of such Act of March 3, 1925, as amended, be, and the same is, repealed, and the letters designating paragraphs (g), (h), (i), (j), (k), and (l) be changed to (f), (g), (h), (i), (j), and (k), respectively.

2. That such Acts be, and the same are hereby, amended so that wherever the word "director" appears in such Acts said word "director" shall be stricken and in lieu thereof the words "commissioners or their designated agent" shall be substituted.

3. That section 6 of said Acts be, and the same is hereby, amended so that the title thereof shall read "Regulation of Traffic."

4. That sections 6, 9, 10, and 13a of such Acts be, and the same are hereby, amended to read as follows:

"SEC. 6. (a) The Commissioners of the District of Columbia are hereby authorized and empowered to make, modify, repeal, and enforce usual and reasonable traffic rules and regulations relating to vehicles, and rules and regulations concerning the control of traffic, the registration of motor vehicles, and the issuance and

Phraseology substi-
tuted.

Title amended.

Commissioners em-
powered to make, etc.,
traffic rules and regula-
tions, etc.

revocation of operators' permits; and to exercise any power or perform any duty imposed on the director of traffic, which office is hereby abolished; and in the administration of the above powers and authority the commissioners may exercise the same through such officers or agents of the District as the commissioners may designate: *Provided*, That no member of the Metropolitan Police Department may be empowered to perform any function under this Act other than in the enforcement thereof.

Office of director of traffic abolished.

"(b) There is hereby established in the government of the District of Columbia a department of vehicles and traffic, which, under the direction of the commissioners, shall have charge of the issuance and revocation of operators' permits, the registration and titling of motor vehicles, the making of traffic studies and plans, the installation and maintenance of traffic signs, signals, and markers, and of such other matters as may be determined by the commissioners. The commissioners shall appoint a director of vehicles and traffic, who shall be in charge of said department, and such other personnel as they may deem necessary to perform the duties thereof and as may be appropriated for by Congress. The salaries of such director of vehicles and traffic and other personnel shall be fixed in accordance with the Classification Act of 1923. The director of vehicles and traffic shall be responsible directly to the commissioners for the faithful performance of his duties and shall be subject to removal by the commissioners for cause.

Proviso.
Power of Metropolitan Police limited to enforcement.

Department of vehicles and traffic.
Established; powers.

Appointment of director; personnel.

Salaries.

Removal.

"(c) The Commissioners of the District of Columbia are hereby authorized and empowered to make, modify, and enforce reasonable regulations in respect to brakes, horns, lights, mufflers, and other equipment, the inspection of the same; the registering, reregistering, titling, retitling, transferring of titles, and revocation of the certificate of title to motor vehicles and trailers: *Provided*, That hereafter, congressional tags shall be issued by the commissioners under consecutive numbers, one to each Senator and Representative in Congress for their official use, which when used by them individually while on official business, shall authorize them to park their automobiles in any available curb space in the District of Columbia, except within fire plug, fire house, loading station, and loading platform limitations, and such congressional tags shall not be assigned to or used by others.

Regulations for operating, etc., motor vehicles to be made.

Proviso.
Issue of Congressional tags.

Privileges.

"(d) The commissioners shall cause to be levied, collected, and paid such fees for titling and retitling as they deem necessary, not to exceed the sum of \$1 for each such titling or retitling, and they shall not after the 1st day of January, 1932, register or renew the registration of any motor vehicle or trailer unless and until the owner thereof shall make application in the form prescribed by the commissioners, under oath, and be granted an official certificate of title for such vehicle. No registration or other fee shall be charged to vehicles owned by the Federal or District Government, or any duly accredited representative of a foreign government. The owner of a motor vehicle or trailer registered in the District of Columbia shall not after the 1st day of January, 1932, operate or permit or cause to be operated any such vehicle upon any public highway in the District without first obtaining a certificate of title therefor, nor shall any individual knowingly permit any certificate of title to be obtained in his name for any vehicle not in fact owned by him, and any individual violating any provision of this subsection or any regulations promulgated thereunder shall be fined not more than \$1,000 or imprisoned not more than one year, or both. If the properly designated agent of the commissioners shall determine that an applicant for a certificate of title is not entitled thereto, such certificate of title may be refused, and in that event unless such determination is

Titling motor vehicles; fees.

Registration.

Vehicles exempt from fee charges.

Certificate of title.
Operating vehicle without, prohibited.

Penalty for violation.

Refusal to issue certificate.

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| Right of appeal. | reversed upon written application to the commissioners by the individual affected, such individual shall be entitled to proceed further as provided under section 13 (a) of the Traffic Acts for the District, and jurisdiction is hereby conferred upon the Court of Appeals of the district for this purpose: <i>Provided</i> , That reasonable time for hearing be given the applicant in the first instance. |
| Post, 1428. | |
| Proviso. Hearing. | |
| Delegation of authority. | |
| Rules and regulations governing traffic movement, etc., authorized. | |
| Provisos. Parking areas for Members of Congress. | “(e) The commissioners may in the administration of this section, or any provision of the Traffic Acts for the District, exercise any power or perform any duty conferred on them by this Act and the Traffic Acts through such officers and agents of the District as the commissioners may designate. The commissioners are further authorized and empowered to make, modify, repeal, and enforce reasonable rules and regulations in respect to the movement of traffic, speed, length, weight, height, width, routing, and parking of vehicles, and the establishment and location of hack stands: <i>Provided</i> , That the commissioners shall establish and locate parking areas in the vicinity of governmental establishments for use only by Members of Congress and governmental officials when on official business: <i>Provided further</i> , That as to all common carriers by vehicle which enter, operate in, or leave the District of Columbia, the power to route such vehicles within the District of Columbia, to regulate their equipment other than that specifically named elsewhere in this Act, to regulate their schedules and their loading and unloading, to locate their stops, and all platforms and loading zones and to require the appropriate marking thereof, is vested in the Public Utilities Commission of the District of Columbia: <i>Provided further</i> , That whenever any order, rule, or regulation of the Public Utilities Commission shall be made relative to the routing of common carrier vehicles, to the location of their stops, to the establishment or change in location of platforms, loading zones, or other spaces on the public highway to be reserved for any purpose whatsoever, or to the appropriate marking thereof, or whenever any order, rule, or regulation of the District Commissioners shall be made which affects such routing, stops, platforms, zones, or spaces, said order, rule, or regulation shall, prior to promulgation, be referred to a joint board to be composed of the Commissioners of the District of Columbia and the members of the Public Utilities Commission, which is hereby authorized and created. Such joint board may, by the affirmative action of any three members thereof, adopt rules and regulations which, when promulgated, shall be binding and shall have the full force and effect of law, and the engineer commissioner shall be the chairman of such joint board, and shall have but one vote. Any of said rules and regulations hereafter promulgated, after reasonable trial and within a reasonable time, may be changed by the joint board upon the request of the Commissioners of the District of Columbia or of the Public Utilities Commission. |
| Regulating routes, equipment, etc., of common carriers. | |
| Orders, etc., referred to joint board. | |
| Composition. | |
| Adoption and force of orders. | |
| Chairman. Changes in rules, etc., authorized. | “(f) The commissioners may establish and designate arterial and boulevard highways, regulate the speed of vehicles thereon, and provide for the equipment of any street, road, or highway, with control lights and/or other devices for the regulation of traffic, and make such other regulations with respect to the control of traffic as are deemed advisable; and section 14 of said Traffic Acts is hereby repealed. |
| Arterial and boulevard highways. | |
| Traffic lights. | |
| Vol. 43, p. 1125 repealed. | |
| Penalties for violation of rules, etc. | |
| Rules, not inconsistent, to remain in force. | “(g) The District Commissioners are authorized to prescribe within the limitations of these Acts reasonable penalties of fine, or imprisonments not to exceed ten days in lieu of or in addition to any fine, for the violation of any rule or regulation promulgated under the authority of these Acts not otherwise herein provided for. All traffic, motor vehicle, and vehicle regulations not inconsistent here- |

with heretofore adopted and promulgated are continued and shall remain in full force and effect until amended, altered, or revoked.

"(h) All regulations promulgated under the authority of the Traffic Acts and this Act, except those made by the Public Utilities Commission under powers given it by the Act of March 4, 1913, and these Acts, shall, when adopted, be printed in one or more of the daily newspapers published in the District, and no penalty shall be enforced for any violation of any such regulation which occurs within ten days after such publication, except that whenever the Commissioners of the District of Columbia deem it advisable to make effective immediately any regulation relating to parking, diverting of vehicular traffic, or the closing of streets to such traffic, the regulation shall be effective immediately upon placing at the point where it is to be in force conspicuous signs containing a notice of the regulation. The placing at or upon the public highway of any sign relating to parking or regulation of traffic, except by the authority of the Commissioners of the District of Columbia or their designated agent, or of the joint board, is prohibited: *Provided*, That this restriction shall not apply to any such signs which do not purport to reserve space on the public highways and which the Public Utilities Commission may authorize under the provisions of this Act.

Publication of regulations.

Effective date.

Exception.

Signs on highways, without proper authority, prohibited.

Proviso.
Not applicable, unless to reserve space.

"(i) All prosecutions for violations of provisions of the Traffic Acts, excepting section 11 thereof, and this Act or regulations made and promulgated under the authority of said Acts shall be in the police court of the District of Columbia upon information filed by the corporation counsel of the District of Columbia or any of his assistants.

Prosecutions for violations.

" SPEEDING AND RECKLESS DRIVING

"SEC. 9. (a) No vehicle shall be operated at a greater rate of speed than permitted by the regulations adopted under the authority of this Act.

Speed limit.

"(b) Any person who drives any vehicle upon a highway carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, shall be guilty of reckless driving.

Reckless driving.

"(c) Any individual violating any provision of this section where the offense constitutes reckless driving shall upon conviction for the first offense be fined not more than \$100 or imprisoned not more than thirty days; and upon conviction for the second or any subsequent offense committed within two years from the date of any such previous offense such individual shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Penalty for first offense.

Second, and subsequent.

"(d) Any individual violating any provision of this section, except where the offense constitutes reckless driving, shall upon conviction for the first offense be fined not more than \$25; upon conviction for a second offense committed within one year from the date of conviction of the first offense such individual shall be fined not more than \$100; and upon conviction for the third or any subsequent offense committed within one year from the date of conviction of the first offense such individual shall be fined not more than \$300 or be imprisoned not more than ninety days, or both.

Penalties for other violations

" FLEEING FROM SCENE OF ACCIDENT—DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS

"SEC. 10. (a) Any person operating a motor vehicle, who shall injure any person therewith, or who shall do substantial damage to property therewith and fail to stop and give assistance, together

Report of accident.

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| At police station if personal injury. | with his name, place of residence, including street and number, and the name and address of the owner of the motor vehicle so operated, to the person so injured, or to the owner of such property so damaged, or to the operator of such other motor vehicle, or to any bystander who shall request such information on behalf of the injured person, or, if such owner or operator is not present, then he shall report the information above required to a police station or to any police officer within the District immediately. In all cases of accidents resulting in injury to any person, the operator of the motor vehicle causing such injury shall also report the same to any police station or police officer within the District immediately. |
| Penalties for failure to report. If damages to the person. | "Any operator whose motor vehicle causes personal injury to an individual and who fails to conform to the above requirements shall, upon conviction of the first offense, be fined not more than \$500, or shall be imprisoned not more than six months, or both; and upon the conviction of his second or subsequent offense, shall be fined not more than \$1,000, or shall be imprisoned not more than one year, or both. |
| To property. | "Any operator whose motor vehicle causes substantial damage to any other vehicle or property and fails to conform to the above requirements, shall, upon conviction of the first offense, be fined not more than \$100, or be imprisoned not more than thirty days, or both; and for the second or any subsequent offense, be fined not more than \$300, or be imprisoned not more than ninety days, or both. |
| Operating vehicle while intoxicated, etc., prohibited. Penalty for violations. | " (b) No individual shall, while under the influence of any intoxicating liquor or narcotic drug, operate any motor vehicle in the District. Any individual violating any provision of this subdivision shall upon conviction for the first offense be fined not more than \$500 or imprisoned not more than six months, or both; and upon conviction for the second or any subsequent offense be fined not more than \$1,000 or imprisoned not more than one year, or both. Upon conviction of a violation of any provision of this paragraph the clerk of the court shall certify forthwith such conviction to the designated agent of the commissioners who shall thereupon revoke the operator's permit of such individual. |
| Revocation of permits. | " (c) Any violation of any provision of law or regulation issued thereunder which is repealed or amended by this Act, and any liability arising under such provisions or regulations may, if the violation occurred or the liability arose prior to such repeal or amendment, be prosecuted to the same extent as if this Act had not been enacted. |
| Continuation of prior prosecutions. | |

"REVOCATION OR SUSPENSION OF OPERATORS' PERMITS

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| Authority for revocation of permits. | <p>" 13. (a) Except where for any violation of this Act revocation of the operator's permit is mandatory, the commissioners or their designated agent may with or without a prior hearing revoke or suspend an operator's permit for any cause which they or their agent may deem sufficient: <i>Provided</i>, That in each case where a permit is revoked or suspended the reasons therefor shall be set out in the order of revocation or suspension: <i>Provided further</i>, That such order shall take effect five days after its issuance unless the holder of the permit shall have filed within such period, written application with the Commissioners of the District of Columbia for a review of their order or the order of their agent, and, if upon such review, the commissioners shall sustain such order, the same shall become effective immediately: <i>Provided further</i>, That application to said commissioners for a review shall not operate as a stay of such order of the commissioners or their agent when the order has been issued revoking or suspending a permit on account of mental or physical incapacity, for driving under the influence of liquor or narcotic drugs; for manslaughter when an automobile is involved, or for operating</p> |
| <i>Proviso.</i> Reasons to be stated. | |
| Effective date. | |
| Application for review. | |

a motor vehicle equipped with a smoke screen: *Provided further*, That any individual whose permit shall be denied, suspended, or revoked by the commissioners or their agent may, within thirty days after such denial, revocation, or suspension is ordered, if application for a review by the commissioners of an order for revocation or suspension has not been filed, or in case such application has been filed, within thirty days after decision of the commissioners, apply to any justice of the Court of Appeals of the District of Columbia for a writ of error to review the order of the commissioners or their agent complained of or the decision of the commissioners. Said court is authorized to promulgate rules governing the application for the writ, and the record and proceedings thereon, and to affirm, modify, or reverse the order of the commissioners or their agent or the decision of the commissioners, where the writ is allowed pursuant hereto; and the decision of said court shall be final: *And provided further*, That the application to said court for a writ of error shall not operate as a stay of such order of the commissioners or their agent or the decision of the commissioners."

For writ of error.

Court to make rules.

Application not to act as stay of order.

5. All convictions under this Act shall be reported by the clerk of the court to the commissioners or their designated agent.

Convictions to be reported.

Effective date.

6. This Act shall take effect July 1, 1931.

Approved, February 27, 1931.

CHAP. 318.—An Act To increase the loan basis of adjusted service certificates.

February 27, 1931.
[H. R. 17054.]
[Public, No. 743.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502 of the World War Adjusted Compensation Act, as amended, is amended by adding at the end thereof two new subdivisions to read as follows:

World War Adjusted Compensation Act, amendment.
Vol. 43, p. 126; Vol. 44, p. 1339; Vol. 45, p. 1561, amended.
U. S. C., p. 1231; Supp. IV, p. 540.

"(1) For the purpose of this section the loan basis provided in subdivision (g) shall at no time be less than 50 per centum of the face value of the certificate, and in no event shall the rate of interest on any loan made after this subdivision takes effect exceed 4½ per centum per annum, compounded annually. If at the time of application to the Administrator of Veterans' Affairs for a loan the principal and interest on or in respect of any prior loan under this section have not been paid in full by the veteran (whether or not the loan has matured), then, on request of the veteran, the Administrator shall (1) pay or otherwise discharge such unpaid principal and so much of such unpaid interest (accrued or to accrue) as is necessary to make the certificate available for use as security for the new loan and (2) deduct the same from the then existing loan basis of the certificate.

Loan basis.
Calculation of; interest rate.

Adjustment of unpaid prior loans, etc.

"(m) Loans made by the Administrator of Veterans' Affairs under this section may at his option be made out of the United States Government life insurance fund, or out of the Adjusted Service Certificate Fund created under section 505."

Funds available for loans.

Vol. 43, p. 128.

SEC. 2. Section 507 of such Act, as amended, is amended to read as follows:

"SEC. 507. All amounts in the fund shall be available for payment, by the Administrator, of adjusted service certificates upon their maturity or the prior death of the veteran, for payments under section 502 to banks on account of notes of veterans, and for making loans authorized by section 502, as amended."

Payments.
Vol. 43, p. 128, amended.
U. S. C., p. 1233.
Vol. 45, p. 1561.